

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ANTHONY NOVAK,)	CASE NO. 1:17-cv-02148
)	
Plaintiff,)	JUDGE DAN AARON POLSTER
)	
v.)	<u>UNOPPOSED MOTION TO CONTINUE</u>
)	<u>CASE MANAGEMENT ORDER</u>
THE CITY OF PARMA, et al.,)	
)	
Defendants.)	

Defendants request that this Court extend all dates in deadlines in its case management order by sixty (60) days in light of delays caused by COVID-19. Plaintiff's counsel has reviewed this motion and does not oppose it.

Defendants are cognizant that the parties previously asked for, and were granted, a 45-day extension just before the COVID-19 pandemic on March 6, 2020 because of the death of Tom Connor's father. As noted in their motion, they were in the process of scheduling multiple depositions at that time including the named defendants and several third-party witnesses. The depositions of defendants Tom Connor and Kevin Riley went forward as noticed on March 11 and 12, and the depositions of Parma Police officers Daniel Heinz, Scott Faulisi, and Brian Paul went forward on March 13.

Since that time the parties have conferred about whether and to what extent it is advisable or even possible to take additional depositions in light of ever-changing restrictions issued by the Governor on travel and in-person interactions—and the health risks of in-person depositions. The parties have been exploring remote depositions, but even these, in Defendants' view, present difficulties, such as getting the appropriate hardware to all participants, internet-connection issues, and the unavailability of third parties such as County employees, some of whom may be

furloughed due to the COVID-19 crisis. It still unknown what further restrictions will be implemented on travel in the coming weeks and when the current restrictions will be loosened.

Defendants do not make this request lightly, but believe it is necessary to take more time to consider the best way to handle these depositions in light of the logistical difficulties presented by COVID-19. They hope that an extension of sixty days for all dates and deadlines will accomplish this.

Respectfully submitted,

/s/ Steven D. Strang

D JOHN TRAVIS (0011247)

STEVEN D. STRANG (0085444)

GALLAGHER SHARP LLP

Sixth Floor Bulkley Building

1501 Euclid Avenue

Cleveland, Ohio 44115

(216) 241-5310 (phone)

(216) 241-1608 (fax)

jtravis@gallaghersharp.com

sstrang@gallaghersharp.com

Attorneys for Defendants City of Parma,

Kevin Riley, and Thomas Connor

CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2020 the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's system.

/s/ Steven D. Strang

D JOHN TRAVIS (0011247)

STEVEN D. STRANG (0085444)

Attorneys for Defendant City of Parma, Kevin

Riley, and Thomas Connor